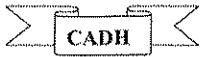


CADH

Connecticut Association of Directors of Health, Inc.



Board of Directors

Richard Matheny
President

Charles Petrillo, Jr.
Vice President

Karen Spargo
Treasurer

Beth Vumbaco
Secretary

Leslie Balch

Edward Briggs

Timothy Callahan

Steven Huleatt

Paul Hutcheon

Thad King

Arthur Leffert

Maryann Lexius

Neal Lustig

Patrick McCormack

Robert Miller

Wendy Mis

Baker Salisbury

241 Main Street
2nd Floor
Hartford, CT 06106
Ph: 860-727-9874
Fx: 860-493-0596
www: cadh.org



Public Health
Prevent. Promote. Protect.

PUBLIC HEALTH COMMITTEE

Friday, March 6, 2009

HOUSE BILL No. 6616

Good morning senator Harris, Representative Ritter, and members of the Public Health Committee. My name is Rick Matheny. I am the Director of Health of the Farmington Valley Health District, and the current President of the Connecticut Association of Directors of Health, Inc. I am here to share our concerns about the wording of House Bill 6616. Specifically, "wood smoke emissions that endanger the health of persons who live in the vicinity of the source of such wood smoke shall be declared to constitute a public nuisance," is so vague that it potentially places a local director of health in an untenable position.

Why? Every scientific publication identifies volatile organic compounds and small particulate matter, such as wood smoke, to be unhealthy, and as such, all sources of wood smoke endanger the health of persons who live nearby the source of the smoke. If it is not the intent of the legislature to outlaw all wood smoke, then who will make the judgment that a particular exposure, in fact, endangers the life of persons who live in the vicinity the source of the smoke – and, more importantly, upon what basis. There is a great deal of difference between potential exposure and actual exposure, and the duration of the exposure also has to be considered. Lastly, not everyone is affected in the same manner by exposure to any compound, especially one that has great variation in its constituents like wood smoke. Not all wood smoke is the same. It depends on what wood is being burned; the moisture content of the wood; the amount of oxygen supplied to the combustion process; and the temperature of the fire.

Not all noses smell (taste) the same way. What might be an objectionable smell to you may not bother me at all. This brings me to the issue of some sort of uniformity of enforcement. There needs to be an adopted state wide standard for an unhealthful exposure to wood smoke that enforcement agencies must utilize. This really is an air pollution issue that rightfully belongs to the Connecticut Department of Environmental Protection for the enforcement of existing air pollution regulations. It is their inability to enforce their own regulations that leads us to this proposed public health code change.

In addition to the issues associated with guidance and standards, this proposal will present considerable challenge for local health relative to remedy. When issuing orders specific to "nuisance" local health departments include a corrective action. Some people may use wood as their sole source of heating.

Factors other than human behavior including wind and weather patterns may contribute to smoke plume movement, for which we have no control. We urge you to consider these issues when contemplating this proposal.

If it is the legislature's intent to transfer this state responsibility to local health departments, then we need the appropriate, authority and resources to go with that new unfunded mandate.